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BEFORE THE ARIZONA CORPORATIC

IN THE MATTER OF THE FORMAL
COMPLAINT OF KAREN SCHAEFER,

COMPLAINANT,

vs.

SUNIZONA WATER COMPANY,

RESPONDENT.

DOCKET NO.

W-03912A-09-0319

PREHEARING
CONFERENCE

At: Tucson, Arizona

Date: February 5, 2010

Filed: FEB 17 2010

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1 BE IT REMEMBERED that the above-entitled and
2 numbered matter came on regularly to be heard before the
3 Arizona Corporation Commission, 400 West Congress Street,
4 Tucson, Arizona, commencing at 10:00 a.m., on the 5th day
5 of February, 2010.

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8 BEFORE: BELINDA A. MARTIN, Administrative Law Judge

9

10 APPEARANCES:

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12 For the Respondent:

13 SUNIZONA WATER CO.
14 Mr. N.D. Bales
15 5416 East Highway 181
Pearce, Arizona 85625
(Appearing via teleconference.)

16

17 KATE E. BAUMGARTH, RPR
18 Certified Reporter
Certificate No. 50582
(Appearing via telephonic.)

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1 ALJ MARTIN: Let's go on record.

2 This is the time set for a prehearing conference
3 in Docket No. W-03912A-09-0319 in the matter of the
4 complaint of Karen Schaefer, complainant, versus Sunizona
5 Water Company, respondent.

6 Good morning. This is Belinda Martin, the
7 administrative law judge assigned to this matter.

8 I guess what I would like to do is call
9 participants. On behalf of the complainant I will note
10 that Ms. Schaefer never phoned in to our office with a
11 call-in number for this prehearing conference, but we do
12 have someone on behalf of the respondent.

13 And, Mr. Bales, could you please state your name
14 and who you represent?

15 MR. BALES: Narvol D. Bales representing Sunizona
16 Water Company.

17 ALJ MARTIN: Okay. Great.

18 And I also note that aside from not receiving a
19 call-in number for Ms. Schaefer for today, I also did not
20 receive any witness or exhibit lists by, I think it was,
21 January 17th as required in the last procedural order. So
22 what I am going to do is next week I will be issuing a
23 procedural order vacating the hearing set for
24 February 11th.

25 So, Mr. Bales, there will not be a hearing next

1 week. Okay? What I'm going to do is I'm going to -- when
2 I issue that procedural order, I will set another
3 procedural conference. The procedural order will state
4 that if she fails to appear for the procedural conference,
5 which will be telephonic, Mr. Bales, then her complaint
6 will be dismissed.

7 So that is what is going to happen. All right?
8 Is that -- do you have any questions about that,
9 Mr. Bales?

10 MR. BALES: No ma'am.

11 ALJ MARTIN: Okay.

12 MR. MACKAY: Your Honor, this is David MacKay.
13 I'm one of the witnesses for Sunizona.

14 ALJ MARTIN: It's M-a-c-K-a-y, correct?

15 MR. MACKAY: Yes, Your Honor.

16 ALJ MARTIN: So, you know, I don't know what to
17 say, if she is paying attention or not, but as the
18 complainant I will give her another chance for a
19 procedural conference, and at that point if she fails to
20 appear for that, we will dismiss the complaint. Okay?

21 MR. BALES: All right.

22 ALJ MARTIN: Do you have any other questions,
23 Mr. Bales?

24 MR. BALES: No. I just want to take care of it,
25 Judge.

1 ALJ MARTIN: Then if there are no other questions
2 or no other issues, that concludes this prehearing
3 conference, and we will go ahead and go off the record.

4 MR. BALES: Thanks.

5 (The hearing concluded at 10:04 a.m.)
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1 STATE OF ARIZONA)
) ss.
2 COUNTY OF MARICOPA)

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7 I, KATE E. BAUMGARTH, RPR, Certified Reporter
8 No. 50582, for the State of Arizona, do hereby certify
9 that the foregoing printed pages constitute a full, and
10 accurate transcript of the proceedings had in the
11 foregoing matter, all done to the best of my skill and
12 ability.

13

14 WITNESS my hand this 8th day of February, 2010.

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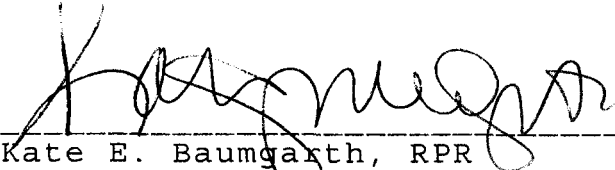
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